

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5365

IN THE MATTER OF:

Served June 30, 1998

Amendment of Rules of Practice and)	Case No. MP-98-44
Procedure and Regulations,)	
Regulation No. 66)	

The Commission is instituting this proceeding for the purpose of amending Regulation No. 66 to conform with current practice as reflected in Commission Order No. 5353.¹

Regulation No. 66, titled "Automatic Denial of Conditional Grant of Authority," currently provides:

The time for compliance with the requirements for a conditional grant of authority will not be extended beyond a maximum of 180 days from the date the conditional grant of authority is issued. Such conditional grant of authority shall be considered void effective on the 181st day.

Recently, an applicant failed to satisfy the conditions of a grant within 180 days, then reapplied and failed again. On the third try, the Commission made it clear in granting the application that a third such failure would result in the applicant being barred from reapplying for a period of one year starting from the end of the most recent 180-day period.

The amendment promulgated herein will apply this "three-strike, one-year-bar" rule to all applicants. As amended, Regulation No. 66 now reads as follows.

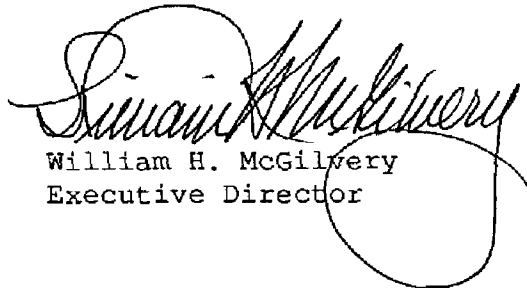
The time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time. An applicant which has three successive conditional grants voided under this

¹ In re Chika Transport Service, Inc., No. AP-98-18, Order No. 5353 (June 16, 1998).

regulation shall be barred from reapplying for a period of one year as measured from the end of the third 180-day period.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director